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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

CORY SPENCER, an individual;
DIANA MILENA REED, an individual;
and COASTAL PROTECTION
RANGERS, INC., a California non-
profit public benefit corporation,

Plaintiffs,

vs.

LUNADA BAY BOYS; THE
INDIVIDUAL MEMBERS OF THE
LUNADA BAY BOYS, including but
not limited to SANG LEE, BRANT
BLAKEMAN, ALAN JOHNSTON
AKA JALIAN JOHNSTON, MICHAEL
RAE PAPAYANS, ANGELO
FERRARA, FRANK FERRARA,
CHARLIE FERRARA, and N.F.; CITY
OF PALOS VERDES ESTATES;
CHIEF OF POLICE JEFF KEPLEY, in
his representative capacity; and DOES
1-10,

Defendants.

CASE NO.: 2:16-CV-2129-SJO-RAO
Hon. S. James Otero, Ctrm. 10C

**OPPOSITION TO PLAINTIFFS’
REQUEST FOR JUDICIAL
NOTICE**

DATE: September 5, 2017
TIME: 10:00 a.m.
CTRM: 10C
1st Street Courthouse

[Filed Concurrently with Defendant’s
Reply in Support of Motion For
Summary Judgment, and Motion to
Strike]

Action Commenced: 03/29/2016
Discovery Cutoff: 08/17/2017
Pretrial Conf.: 10/23/2017
Trial Date: 11/07/2017

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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiffs seek to introduce newspaper articles via Rule 201(b)(2). EFC No. 303 and 330. Plaintiffs then cite to quotations found in the newspapers in their opposition to defendant’s motion for summary judgment. See, EFC No. 328, pgs. 1:20, 2:3, 4:8, 6:26. However, the newspaper articles themselves are hearsay. *Fed.R.Evid.* 801 Furthermore, “Courts may take judicial notice of publications introduced to ‘indicate what was in the public realm at the time, not whether the contents of those articles were in fact true.’ (Citation.)” *Von Saher v. Norton Simon Museum of Art at Pasadena*. 592 F.3d 954, 960 (9th Cir. 2010).

Dated: August 17, 2017

VEATCH CARLSON, LLP

By: /s/ John E. Stobart
RICHARD P. DIEFFENBACH
JOHN E. STOBART
Attorneys for Defendant,
BRANT BLAKEMAN

Dated: August 17, 2017

BUCHALTER NEMER

By: /s/ Robert S. Cooper
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BRANT BLAKEMAN